

EXHIBIT 11

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

600 Third Avenue
New York, New York

May 29, 2024
10:03 a.m.

DEPOSITION of DOUGLAS LEFF, before Michele Moskowitz, a Shorthand Reporter and Notary Public of the State of New York.

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1 A. Sure. I was an assistant district
2 attorney for four years right out of law school,
3 then I went to the FBI for a little over 26
4 years, then to the United States Defense
5 Department for another year and a half, and then
6 went to the private sector, to the firm that I'm
7 currently with, which is SI Global Partners.

8 Q. How long have you been with SI Global
9 Partners?

10 A. About ten months.

11 Q. Where were you before that, sir?

12 A. The Department of Defense. The
13 specific -- it was -- we were a component of the
14 Department of Defense, Office of Inspector
15 General.

16 Q. How many years were you with the
17 Department of Defense, generally speaking?

18 A. A little under two years.

19 Q. How long were you with the FBI?

20 A. 26.

21 Q. You indicated you were an assistant
22 district attorney; is that in the federal or
23 state system?

24 A. The assistant district attorney was
25 state. During my time with the FBI I was cross-

1 designated as a special assistant U.S. attorney
2 for six years, that was federal.

3 Q. Where was that special assistant
4 designation?

5 A. The Eastern District of New York,
6 which is Brooklyn, covers Staten Island and Long
7 Island and Queens.

8 Q. What did you do in that role as a
9 special assistant in the U.S. Attorney's Office
10 there?

11 A. Handled across-the-board matters
12 related to financial crimes mostly; money
13 laundering, some asset forfeiture, and some
14 terrorist financing.

15 Q. With respect to your career at the
16 U.S. attorney's office, did you litigate cases?

17 A. Yes, I did.

18 Q. Were you a trial lawyer?

19 A. I was, yes.

20 Q. You said how many years, sir?

21 A. Six years.

22 Q. Six years.

23 And that was coterminous with your
24 FBI role for 26 years?

25 A. Yes, correct.

1 Q. When were you engaged in this matter?

2 A. When was I engaged?

3 Q. In this matter, yes, sir.

4 A. I'm just approximating, it was -- if
5 I look at the letter of engagement, I can tell
6 you for sure. It was approximately four months
7 ago.

8 Q. Okay. And who engaged you?

9 A. I originally talked to the attorneys
10 that are here in the room with us, Alex and Scott
11 and a couple of their colleagues.

12 Q. What did you understand from your
13 conversation the engagement was going to be, sir?

14 MR. KLEIN: I would just say you
15 shouldn't talk about communications we had,
16 but you can answer this question not based
17 on those communications, it's based on your
18 general knowledge as to what you were
19 engaged to do. That's what he wants to know
20 and that's what you can answer.

21 THE WITNESS: Very good.

22 A. Okay. My understanding was that they
23 would seek to qualify me as an expert in the
24 field of reviewing investigations, which is
25 something that I've done a bit of and -- quite a

1 bit of, and it was particularly to review an
2 investigation that was already completed into an
3 audit and investigation of the Southern Baptist
4 Commission related entities and a particular
5 allegation having to do with some form of sexual
6 misconduct.

7 Q. So you were -- one of your roles was
8 to review the -- one, to review the investigation
9 done by Guidepost?

10 A. Yes.

11 Q. And the other function that you
12 mentioned, that you were to audit the
13 investigation?

14 A. It was to review the overall audit
15 and investigation that was completed by Guidepost
16 for the investigative process itself as well as
17 the report writing.

18 Q. So you indicated that part of role
19 was to review the overall audit and investigation
20 of Guidepost. What do you mean by review the
21 overall audit by Guidepost?

22 A. The way -- the manner in which
23 Guidepost conducted their audit of the entities
24 that they were assigned to review, which at one
25 point in that audit process led to the opening of

1 after having reviewed them with the partners of
2 our firm, what I believe would be the most
3 appropriate standards, and everybody was in
4 agreement that they were.

5 Q. What were the most appropriate
6 standards that you determined were appropriate
7 for evaluating the Guidepost investigation here?

8 A. A combination of training and
9 experience in the field coupled with standards
10 that have been promulgated by the inspector
11 generals. Federal inspector generals have a
12 Commission on Efficiency and Integrity and they
13 have a set of written standards and guidelines.

14 Q. What particular standards are you
15 referring to, sir, that you chose based on your
16 work in consultation with the people at your firm
17 that would be applicable in your judgment, sir,
18 to the investigation by Guidepost here?

19 A. Well, the standards that we cited in
20 there are applicable to all investigations.

21 Q. What was the standard, sir?

22 A. The CIGIE, Center -- Committee of
23 Inspector Generals on Integrity and Efficiency, I
24 believe is the acronym, and they have blue books
25 applicable to investigations, to audits and

1 inspections, and a couple of other topics that
2 are not germane.

3 Q. I want to be very literal here and
4 make sure I have a complete understanding of what
5 it is that you did; fair enough?

6 A. Yes.

7 Q. So it was you, sir, in consultation
8 with the people at your firm that made a
9 determination that the Guidepost investigation
10 should be measured against the standard that you
11 call the CIGIE standard issued by whom?

12 A. By the Committee of Inspector
13 Generals. It's composed of membership from the
14 dozens of inspector generals around the country
15 as well as some agencies that report to those
16 inspector generals.

17 Q. So that is the standard that you
18 measured the Guidepost investigation against; is
19 that right?

20 A. Coupled with training, experience. I
21 mean, the standards as you see them when we cite
22 them, they're generally applicable standards.
23 They have some specific guidelines to the extent
24 that it gets specific, but they don't get as
25 concrete as anything that you see during real-

1 world investigations. So it's a combination of
2 what we know from training, experience, and then
3 how those fit into those guidelines.

4 Q. So did you conclude, sir, based on
5 your work in this matter that the conduct of the
6 Guidepost company was consistent with what you've
7 described as the CIGIE standards?

8 A. Yes. Yes, I did.

9 Q. I'd like the jury and the court to
10 understand exactly what you did. Before you
11 decided for your part to use a United States
12 Government Inspector Generals standard to measure
13 Guidepost against, you not only spoke to people
14 in your firm, you also spoke to Mr. Klein, one of
15 the lawyers here, right?

16 A. That is correct, yes.

17 Q. And who, tell us, did you speak to --
18 any other lawyers you spoke to here before you
19 determined to utilize that standard that you've
20 now described?

21 A. Sure. Terrence, Steve. And some of
22 the meetings we had were on video, I don't know
23 if they had any other attorneys present, but
24 those were the primary individuals from this firm
25 that I've dealt with.

1 Q. I'm a little upset because everybody
2 keeps forgetting Alex. Was Alex --

3 A. I said Alex right off the bat. I
4 said Alex and Scott. I think Alex was the first
5 person I --

6 Q. He deserves some respect.

7 MR. OTCHY: Thank you, Rob.

8 A. He was at the top.

9 Q. So you determined based on your own
10 experience and background and in consultation
11 with Mr. Klein, Mr. Mintz, Mr. McCormick, and
12 Mr. Otchy that this was an appropriate standard
13 to measure Guidepost investigation against,
14 right?

15 A. I explained to them that we would,
16 yes, be using that standard. Primarily it was
17 based on training and experience, and I explained
18 I would articulate that by way of the guidelines
19 because it has a very natural way of breaking
20 down the different components that you would look
21 at in the course of an investigation.

22 Q. I don't want to hear what any of
23 these gentlemen said to you, but after you spoke
24 to how many lawyers -- let's count them -- one,
25 two, three --

1 MR. KLEIN: Don't forget Alex.

2 Q. -- four lawyers, after you spoke to
3 four lawyers with the Mintz & Gold firm, you
4 determined that you would utilize the CIGIE
5 standard as a yardstick to measure the Guidepost
6 investigation against; is that right?

7 A. That's an excellent way to put it, as
8 a yardstick, yes.

9 Q. Okay. Are you saying that if the
10 CIGIE standard were complied with in all
11 respects, then you would bless the investigation
12 as appropriate here in this context?

13 A. I don't think I would say that, no,
14 because as you see when you look at them,
15 they're -- kind of -- they're very generalized
16 standards. You have to take them and then use
17 them as -- like you said, as a yardstick in light
18 of your training and experience and basically
19 anything that can happen in the course of an
20 investigation will fit into one or more of those
21 guidelines, but the articulation of what is done
22 right or wrong in an investigation is something
23 you know from training and experience and you use
24 the guidelines to best formulate it.

25 Q. Was the Guidepost investigation --

1 did you consider that to be an internal
2 investigation?

3 A. Yes. An outside party was brought in
4 to conduct an internal investigation, yes.

5 Q. Now, the inspector generals -- when
6 the inspector generals -- it's the inspector --
7 let me be more clear.

8 As you understood based on your work
9 in government and otherwise, as you understand it
10 the inspector generals of the United States
11 utilize the CIGIE standards in their work; is
12 that right?

13 A. Well, you don't see them cited on a
14 daily basis. It's a -- kind of an overarching
15 umbrella of a source for consultation. They have
16 meetings, I think, once or -- once every month or
17 two where new topics are brought up. They also
18 field complaints from federal employees or
19 members of the public who are dissatisfied with
20 an investigation and then it goes to the CIGIE
21 and they determine -- they review and determine
22 whether an investigation was conducted in
23 conformance with how they believe the guidelines
24 should be interpreted and they share that
25 guidance with us, which is another source of

1 experience that we get about how they're
2 interpreted.

3 Q. Well, the CIGIE standard, that's used
4 by the inspector general's office to evaluate its
5 own investigations?

6 A. Well, yes, it can happen that way,
7 but not each individual inspector general. For
8 example, if somebody is investigated by the
9 Department of Justice, inspector general feels
10 they were treated unfairly, they would go to the
11 CIGIE, they have a link online where someone can
12 make a complaint, and then the CIGIE would pick
13 representatives of other inspector general's
14 offices to review that investigation and see if
15 any complaint -- if there was any validity or any
16 suggestions should be put out to the field for
17 best practices based on that or pitfalls, things
18 along those lines.

19 Q. Just a couple things. With respect
20 to the CIGIE standards, these are standards that
21 are not specific to sexual assault
22 investigations; is that right?

23 A. That is correct.

24 Q. And this council of independent
25 inspectors -- let me start over.

1 created in May of 2022, so to answer your
2 question, by February 2022 we hadn't become aware
3 of anything else and I'm unaware of anybody
4 opening up any new investigation, but if they did
5 and it took place after May 15, 2022, I wouldn't
6 probably be privy to that.

7 Q. Focusing on you now --

8 A. Yes.

9 Q. -- just you, did you for your part in
10 connection with your work make an assessment as
11 to whether Guidepost could be impartial in their
12 investigation beginning in February 2022?

13 A. That was encompassed, yes.

14 Q. What investigation did you do to
15 determine their impartiality during the month of
16 February 2022?

17 A. February 2022 is included in the
18 whole time frame that we looked into.

19 Q. What specific analysis did you make?

20 A. That they conducted the investigation
21 in a manner that was appropriate in all respects
22 in accordance with standards in the industry,
23 both public and private sector, and that there
24 was nothing done that was out of the ordinary
25 with respect to any manner in which the

1 investigators were selected, the investigation
2 was conducted, or the report was prepared.

3 Q. Let's be more specific about you now.

4 A. Okay.

5 Q. What did you do, or perhaps fail to
6 do here, sir, with respect to the [REDACTED] [REDACTED]
7 allegation? When did that first -- when was that
8 first made to Guidepost?

9 A. I'd have to look at the document to
10 know the exact date when it was made. I don't
11 know off the top of my head.

12 Q. What month, sir?

13 A. I don't know the month off the top of
14 my head.

15 Q. Well, you don't know whether it's
16 February of 2022, March 2022, April 2022?

17 MS. KLEIN: Objection, asked and
18 answered, but you can answer.

19 A. Yeah, I would be guessing. I don't
20 want to guess.

21 Q. As you assessed impartiality, sir,
22 for your part as an investigator here, did you
23 come to understand when it was that [REDACTED] [REDACTED]
24 first came forward with his claim or his
25 allegation?

1 A. -- is credible allegation, which is a
2 fairly slight standard. Now, how you measure it,
3 the ways investigators determine whether or not
4 there was a credible allegation, if that's the
5 question, that's a feasible question to answer.

6 Q. What is the answer, please? Answer
7 that question. That's all I'm asking you.
8 Answer that question for the jury.

9 MR. KLEIN: Which question? The
10 question he's now framed?

11 MR. MacGILL: The one he just posed,
12 yes.

13 MR. KLEIN: You can answer how it's
14 measured.

15 Q. Do you want me to read back what you
16 just said?

17 MR. KLEIN: No, we got it. How it's
18 measured.

19 MR. MacGILL: You have it?

20 Q. Tell the court and jury what you have
21 to establish in order to establish a credible
22 accusation.

23 A. Well, it can consist of various
24 things, but simply put, it's whether the
25 allegation is believable, whether there's been a

1 believable allegation met that investigators --
2 there are subsets of that that investigators use
3 to look into whether or not something is
4 believable, such as -- I mean, if you want me to
5 go on this is --

6 Q. Please.

7 A. -- such as whether it's coming from
8 an identified citizen or from an anonymous
9 source, whether there's corroboration to it.
10 Although it's important to point out at this --
11 probably at this juncture that even probable
12 cause, which is a significantly higher standard
13 than credible allegation, courts have held, I
14 believe universally, that an identified citizen
15 making a complaint is sufficient to establish
16 probable cause. I know that to be the case
17 because I've done it myself many times.

18 So a credible allegation, frankly,
19 would have been the survivor coming forward,
20 determining upon interviewing her demeanor and
21 all that she's believable, that would have been
22 enough to say we've got a credible allegation
23 here, folks, and sign off. They went way beyond
24 that, which is why many of these things that
25 you're asking me about steps were not steps at

1 all because it was unnecessary. They had
2 themselves a credible allegation. They did way
3 more. They did a tremendous service to the
4 accused here, frankly, in how much additional
5 work they did beyond having determined there was
6 a credible allegation.

7 Q. So credible allegation is a
8 believable allegation according to you?

9 A. That's a -- it's a simply put way to
10 state it.

11 Q. But you're the expert here, and as an
12 expert you're telling this court and jury that
13 credible allegation is a believable allegation,
14 right?

15 A. In sum and substance, yes.

16 Q. In sum and substance, yes?

17 A. Yes.

18 Q. Yeah, all right.

19 So if something is -- what does it
20 take to be believable, sir, in this context of
21 the Guidepost investigation? What would be
22 necessary to be believable?

23 A. To examine the allegation, scrutinize
24 it, where it comes from, what, if any, motives
25 are there to fabricate any preexisting history

1 between the complainant and the subject, the
2 accused, any other witnesses, any documentation
3 corroborating things like time frames or
4 locations relevant to it, those, frankly, go way
5 beyond it.

6 Like I say, the standard for credible
7 allegation is a very, very light standard, and an
8 identified citizen saying that something
9 happened, like I say, is enough to go out and we
10 can put handcuffs on somebody for that, we can
11 search someone's home based on that even though
12 later on they may very well be exonerated because
13 it still rose to the probable cause standard.
14 And like I say, significant -- a credible
15 allegation is a lower standard even than probable
16 cause.

17 So all the things I'm telling you on
18 the checklist, probably the instructors at
19 Quantico would disagree that all or most of those
20 even need to be there. They're gravy basically.
21 And Guidepost, to their credit, did a lot of
22 extra digging on this that they didn't need to in
23 applying that standard of a credible allegation.

24 Q. They did a lot of extra digging here,
25 sir, to justify their own conduct, did they not?

1 A. I would disagree based on what I
2 observed. No, sir. I believe they did that
3 extra digging to see if, in fact, there might be
4 something out there that would cause them not to
5 include it in the report.

6 Q. They did a lot of digging to dig
7 themselves out of a \$2 million financial hole,
8 did they not?

9 A. No, I'm sorry, I disagree with that.

10 Q. You're laughing, but you know that
11 that's a reality, that as of February 1 they were
12 in a \$2 million hole, weren't they, sir?

13 A. No, sir. From my understanding, I
14 would not use the word hole.

15 Q. Sir, they were --

16 A. Hole sounds like they gambled at the
17 track and lost \$2 million. I disagree.

18 Q. Didn't you take the time, sir, to
19 read the texts and the e-mails at the time
20 concerning the desperation that existed in those
21 texts pertaining to the fact that the company had
22 spent millions of dollars and had not found one
23 new sexual abuse allegation? Didn't you see
24 texts and e-mails to that effect?

25 MR. KLEIN: Objection, compound and

1 mischaracterizes his testimony. You can
2 answer.

3 Q. Restated: didn't you see with your
4 own eyes e-mails, sir, confirming the concerns
5 that Guidepost in the February 2022 period that
6 they had no new allegations of sexual abuse?

7 MR. KLEIN: Objection, asked and
8 answered. You can answer.

9 A. That, I saw. I can't state off the
10 top of my head what time frame I saw that in, but
11 yes, I saw that. If nothing else, what jumps out
12 the most is your precise question from you at the
13 depositions where everyone confirmed that that is
14 correct.

15 Q. That there was some level of
16 desperation at Guidepost because according to
17 what you saw with your own eyes, they had no new
18 allegations of sexual abuse, right?

19 A. No, sir. I disagree with that. They
20 never -- didn't pick up any desperation. In
21 fact, when you look at what they did with their
22 report, everything was done outside the scope of
23 anything to do with Mr. Hunt. They made various
24 recommendations.

25 It's not a failure to find that even

1 though proper steps weren't in place in an
2 organization that fortunately nothing bad came
3 out of it. That's not a failure on the part of
4 the investigators. They did their job whether
5 they found a hundred people that had allegations
6 or they found zero. The fact is they identified
7 procedures that should be there and hopefully in
8 the future will be. That was their job and
9 that's very typical in this type of review.

10 Q. Did Guidepost at the time of this
11 investigation have a code of conduct or ethics?

12 A. Is this beyond what we talked about
13 earlier or --

14 Q. Yes, sir. It's very much different.
15 Do you understand that there's a
16 distinction between a code of conduct in a
17 company and an investigatory series of
18 guidelines?

19 A. Okay.

20 Q. Do you understand that?

21 A. That, I do understand.

22 Q. Okay. With that understanding, did
23 Guidepost have a code of conduct in place at the
24 time of this investigation?

25 A. A code of conduct for Guidepost's own

1 A. Yes. Consistent with what was --

2 Q. Right.

3 A. -- dictated to them before they
4 started.

5 Q. As a matter of common decency or
6 logic or just general humane behavior, no
7 reasonable investigator would do that before
8 interviewing Johnny Hunt, would they?

9 A. I would disagree with that. I mean,
10 they picked out a title. Could be victim, could
11 be complainant, could be survivor. These are all
12 interchangeable things. It doesn't indicate a
13 conclusion. And the way the investigation
14 developed and was documented shows that they were
15 objective and independent and fair-minded
16 throughout.

17 Q. Since we're talking about you --

18 A. Okay.

19 Q. -- and a you did and what you failed
20 to do in connection with your work in this case,
21 it's okay by you if the investigators here write
22 the story before they interview Pastor Johnny
23 Hunt?

24 MR. KLEIN: Objection as to form.

25 You can answer.

1 THE WITNESS: Right.

2 A. I don't know that I would say okay by
3 me because I'm not the one -- I was -- I was
4 taught the same, trained and observed the same
5 things happen, best practices as anywhere else
6 and it's definitely all right because that's the
7 way we're taught to do it. There's various
8 reasons why it's best to do it.

9 Q. It's definitely all right in your
10 words, sir, as an expert, according to yourself
11 that you are an expert. You're claiming it's
12 okay to write the story before you interview the
13 person accused of a sexual abuse incident, right?

14 MR. KLEIN: Objection,

15 mischaracterizes his testimony. But you can
16 answer.

17 A. Again, it's writing a potential
18 version of the story, what may seem like a likely
19 outcome at that point but with the flexibility to
20 adapt and amend it as necessary even if it turns
21 to the opposite conclusion.

22 Q. Wouldn't a reasonable person in the
23 seat that you sit in realize, had you actually
24 relied on this, that this was a red flag in terms
25 of the investigation conducted by Guidepost?

1 A. The fact that it existed was -- it
2 was an observation, it was a potential red flag,
3 but combining it as cited in the Exhibit 1 with
4 the other documents that are related to it, then
5 the concern evaporates, any potential concern
6 evaporates.

7 Q. Sir, survivor was a trigger word
8 here, wasn't it?

9 A. No. It's a word of the trade. It's
10 become --

11 Q. No, sir. You know better than that.
12 Did you actually read the Guidepost
13 report and how they described survivor?

14 A. Yes.

15 Q. Did you read those -- tell the jury
16 what Guidepost defined a survivor of --
17 notwithstanding all the claims in statements and
18 paragraphs that you've given us here today, tell
19 this court and jury how they define survivor.

20 A. I'd have to read their exact words.

21 Q. Just tell us what you remember, sir,
22 because you've adopted that here today.

23 A. I can't without --

24 Q. What do you remember?

25 A. I can't without looking at it. I

1 cooperate with us. That's the closest I come to
2 an ambush interview.

3 Q. And an ambush interview would also be
4 an interview where you don't tell the person
5 you're going to be interviewing the topic of your
6 interview?

7 A. No, sir. That would not -- to me
8 that's not an ambush at all.

9 Q. An ambush -- how would you describe
10 that if you, you know -- for example,
11 Mr. Blankenship, they never told
12 Mr. Blankenship -- these Guidepost people, they
13 never told Mr. Blankenship what they were going
14 to ask him about, right?

15 A. That's consistent with what I recall
16 learning, yes.

17 Q. And they camped outside his office,
18 didn't they?

19 A. I know after -- I believe there was a
20 period of time of him being unresponsive to their
21 attempts to schedule something formal that they
22 waited for him outside his office.

23 Q. They waited for him outside his
24 office?

25 A. Yes.

1 Q. Right. And he was not a willing
2 participant in an interview, as you understood
3 it?

4 MR. KLEIN: Objection as to form.

5 You can answer.

6 A. There may be some degree of
7 willingness. I don't know. And they did
8 successfully interview him, so obviously on some
9 level he became willing to do it, but he was
10 unresponsive, uncooperative despite knowing the
11 importance of --

12 Q. So would you call that an ambush
13 interview?

14 A. No.

15 Q. How would you describe that?

16 A. Relatively standard practice. The
17 more effective way to interview someone when it's
18 a factual type of interview that -- where they're
19 likely to remember specific things that are not
20 relying on -- no need to rely on outside
21 documents or complex records in a business record
22 case is to be asking them the questions first
23 time when we're in front of them so that they
24 don't have -- so they're not reflecting on it
25 ahead of time and possibly considering what's

1 better for them in their responses.

2 Q. How about Johnny Hunt? Did they tell
3 Johnny Hunt ahead of time that they were going to
4 interview him about this event with [REDACTED]

5 A. Did they tell him ahead of time?

6 Q. Yeah.

7 A. I don't recall how the approach went
8 to --

9 Q. You didn't take any steps to
10 understand what the context of that interview
11 was?

12 MR. KLEIN: Objection as to form.

13 Q. All right. So let me ask a better
14 question.

15 So you can admit right now without
16 any equivocation you did no analysis or
17 investigation for your part to determine the
18 context and circumstances of the second Johnny
19 Hunt interview?

20 A. No. That's absolutely not correct.
21 I'm saying as I sit here right now I don't recall
22 exactly how the interview was arranged or whether
23 it was impromptu.

24 Q. Tell us what you do remember,
25 everything you remember about how Guidepost

1 incident that is going to cause some level of
2 discomfort to the person you're inquiring of, but
3 it doesn't mean it's confrontational in the tone,
4 that you're going all out into interrogation
5 mode.

6 Q. Well, direct and confronting suggests
7 that it's not going to be open-ended answers by
8 the person confronted, right?

9 A. No, sir. Not in this context.

10 Because of what we all know. The background of
11 this was just from the date the letter of
12 engagement was drawn up the potential victims,
13 the survivors, had the right to state whether or
14 not they wanted their identities revealed, they
15 wanted the incident -- the details revealed, so
16 saying being direct to me is what we would do
17 even without a letter of engagement like that,
18 which is saying, listen, your identity is going
19 to come to light when we ask certain questions,
20 we want to make you aware of that, make sure
21 you're comfortable with that. That's what that
22 sentence says to me.

23 Q. Okay. Let's take one step further on
24 this second interview.

25 Did you understand in this second

1 interview that Pastor Johnny Hunt was given no
2 advance notice that he was going to be questioned
3 about this event involving [REDACTED] [REDACTED]

4 A. Yes, sir, that's my understanding.

5 Q. Okay. So you have two circumstances
6 of the interviews that you know about and can
7 testify to; that is, there's no advance notice to
8 Pastor Johnny Hunt, number one, and, number two,
9 that the investigators were going to be direct
10 and confronting to Johnny Hunt, right?

11 A. The word confronting, again, is
12 subject to interpretation, but that they were
13 going to approach him, that they were going to --
14 use the word confront as long as we're not
15 putting a hostile spin on it, yes. Confronting
16 covers a lot, but yes.

17 Q. Now, as an interviewee, if somebody
18 like Kilpatrick or somebody like Holske is going
19 to be direct and confronting to the interviewee,
20 isn't it a fact that that interviewee may be not
21 giving narrative and long answers?

22 A. It's a possibility.

23 Q. Right. You know that your
24 interviewee can shut down if somebody's being
25 direct with that person, right?

1 A. There's always the potential for
2 that.

3 Q. There also is a potential of that
4 interviewee, if he is being confronted, to lock
5 down and not be responsive? Potential, right?

6 A. Well, I'm guessing by your question
7 you're referring to them saying, Hey, I got
8 nothing to say to you, I want to speak to my
9 attorney, something like that. I want you out,
10 words to that effect, certainly that's a
11 possibility.

12 Q. What about words to the effect of
13 accusation made by Kilpatrick, accusation made by
14 Holske: No, no, no, is that the kind of thing you
15 get if somebody's being -- sometimes when
16 somebody's being direct and confronting?

17 A. No. I can't -- I didn't -- a lot of
18 interviews having done, experienced, and reviewed
19 of others being done, the word no is pretty --
20 it's pretty unambiguous. It usually -- in the
21 context you're saying, I can't imagine it not
22 being followed by, No, I'm not having this
23 conversation. When somebody's asked the
24 question, Hey, did this happen? Did you pull her
25 shorts down? And you just say, No, nothing

1 further. I can't imagine any other way to
2 interpret that reasonably as being a no, a denial
3 of what you're asking.

4 Q. Okay. Now --

5 MR. KLEIN: At an appropriate time,
6 you tell me.

7 MR. MacGILL: Okay. Couple more
8 minutes.

9 MR. KLEIN: Sure.

10 Q. You understood that the Guidepost had
11 conducted eleven interviews with the [REDACTED]

12 A. That number sounds right to me, yes.

13 Q. Nine of these interviews were prior
14 to publication, right?

15 A. I didn't know that breakdown, but
16 okay.

17 Q. They only had one interview with
18 Pastor Johnny Hunt on the matter at hand; is that
19 right?

20 A. Well, ultimately they had two, right.

21 Q. Well, one -- you already admitted,
22 haven't you, that the first interview had nothing
23 to do with [REDACTED] [REDACTED]

24 A. Yeah, I wouldn't phrase that -- no,
25 sir. I wouldn't say that. Because doing that

1 there's reason to believe that it was followed
2 the other times, but I have no idea whether it
3 was or not.

4 Q. Well, if it wasn't, wouldn't that
5 indicate that this undermined the credibility of
6 [REDACTED] and Guidepost?

7 A. I don't see how it would. There
8 could be many reasons for that.

9 Q. All right. Now, looking at whether
10 something is credible in offering reasonable
11 grounds for being believed, is there anyone who
12 corroborated [REDACTED] [REDACTED]'s story?

13 A. To some extent, yes.

14 Q. Who?

15 A. As far as the story goes -- when we
16 say story, the time frame as opposed to potential
17 of a recent fabrication -- there were reports
18 made at various times through her husband,
19 through the survivor's husband, to two or three
20 different people.

21 Q. Right. All he did was tell people
22 what he understood, right?

23 A. That's a fair statement.

24 Q. So you know, you've been in this
25 business a long time, there were -- those three

1 other people only repeated what [REDACTED] told
2 them, right?

3 A. That sounds right to me.

4 Q. And to be honest, sir, that's not a
5 corroboration of any kind, is it?

6 A. I disagree with, respectfully.

7 Q. Oh, you would? So you would say that
8 if a person describes an event that he thinks
9 occurred to somebody else and he says, Yes,
10 that's what the husband told me, then that's
11 corroborating?

12 A. Well, as we know, in many areas of
13 the law corroboration doesn't mean that it has to
14 substantiate every single element or every single
15 fact. It just has to -- the way a lot of cases
16 word it is slightly, to whatever extent
17 demonstrates some portion of the statement of
18 events here.

19 The value in that was the fact that
20 it was the date, that it shows that it wasn't a
21 recent fabrication, that it wasn't something that
22 was concocted because suddenly there's all this
23 attention and a chance for a potential payday.
24 It shows that this was discussed at a prior date.
25 So is it tremendous homerun corroboration? No.

1 But is it significant? Yes.

2 Q. Okay. So the only thing those three,
3 quote, corroborating witnesses provided was that
4 [REDACTED] story was not a recent
5 fabrication?

6 A. At least one. One or two. I can't
7 remember the dates. It was at least one that was
8 significantly predating the investigation.

9 Q. Okay. And so that's the only value
10 of those three, quote, corroborating witnesses,
11 that they showed that this was not a recent
12 fabrication?

13 A. That's the main value of it.

14 Q. Is there any other value, sir?

15 A. It would be slight.

16 Q. What other -- I want to see if
17 there's any other substantive value according to
18 you.

19 What other substantive value is of
20 these other three, quote, corroborating witnesses
21 other than that they suggest this was not a,
22 quote, recent fabrication, unquote?

23 A. There's a -- in these areas of law
24 there's what's known as a prompt outcry, which
25 I'm not suggesting that any of these would meet

1

ERRATA

2

3

4 PAGE LINE	CHANGE FROM	CHANGE TO	REASON
5	<u>88 17</u>	<u>"attempted"</u>	<u>"didn't attempt"</u> <i>recollection of testimony</i>
6		<i>Nothing follows</i>	
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1 ACKNOWLEDGMENT OF DEPONENT

2 I, Douglas A Left, do
3 hereby certify that I have read the
4 foregoing pages, 1 - PGS, and that the
5 same is a correct transcription of the
6 answers given by me to the questions
therein propounded, except for the
corrections or changes in form or
substance, if any, noted in the attached
Errata Sheet.


applicant, 7/2/24

7 WITNESS NAME DATE
8 WITNESS NAME DATE

WITNESS NAME DATE

